

## MINUTES OF A REGULAR CITY COUNCIL MEETING HELD FEBRUARY 22, 1982

## PRESENT:

Grant S. Nielson	Mayor and presiding
Vance Bishop	City Administrator
Max Bennett	Council Member
Don Bird	Council Member
Don Dafoe	Council Member
Ruth Hansen	Council Member
Willis Morrison	Council Member

## ABSENT:

None

## OTHERS PRESENT:

Warren Peterson	City Attorney
Dorothy Jeffery	Public Works Superintendent
Ray Valdez	City Building Inspector
Joh Quick	City Engineer
Patricia Davies	City Clerk
Lola Burraston	Harvey Rowlette
Dennis Broderick	Jim Thomas
Mark Jacobson	Jack Fowles
Joh Wiser	Roger Stowell
Glen Swalberg	Art Jeffery and Son
Robert Pendray	Steve Pace
Dennis Westwood	Bryce Ashby

There were others in attendance at the meeting who did not sign the roster.

Mayor Grant Nielson, being present, called the meeting to order at 7:00 p.m.  
Dorothy Jeffery, being present, acted as secretary.

The Mayor stated the meeting was a regularly called meeting and that notice of the time, place and agenda of the meeting had been posted at the principle office of the governing body and had been provided to the Millard County Chronicle; the Millard County Gazette and the local radio station KNAK, and to each member of the governing body by mailing copies of the Notice and Agenda two (2) days before to each of them.

MINUTES

Minutes of a Regular City Council Meeting held January 25, 1982 were presented to the council for their review and consideration of approval. Council Member Willis Morrison MOVED to approve the minutes as corrected. The motion was SECONDED by Council Member Ruth Hansen. The motion carried unanimously.

Minutes of a Closed City Council Meeting held January 25, 1982 were presented to the council. Council Member Don Dafoe MOVED to accept the minutes as corrected. Council Member Don Bird SECONDED the motion which carried unanimously.

Minutes of a Regular City Council Meeting held February 18, 1982 were presented

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to the council for review and approval. The MOTION was made by Council Member Don Dafoe to accept the minutes as presented. Council Member Ruth Hansen SECONDED the motion. The motion carried. Minutes of a September 14, 1981 were tabled. The accounts payable were presented by the City Recorder and reviewed by the City Council. After a brief discussion, Council Member Max Bennett MOVED to accept the Accounts Payable as presented. A SECOND came from Council Member Don Bird. The motion carried unanimously.

PLANNING AND ZONING

The first item on the agenda was consideration of recommendations from the Planning and Zoning Commission. Council Member Don Bird made a MOTION to send the recommendation back to Planning and Zoning Commission for further review on suggestions made by the City Attorney. Member Max Bennett SECONDED the motion. The motion carried with a unanimously affirmative vote of all council members present.

CHAMBER OF COMMERCE

Mr. Glen Swalberg informed the Council that his Business District Development Committee Members had studied the business situation in Delta and had mutually agreed to find ways to build a more stable business climate and more serviceable shopping area. Mr. James Thomas, presented priorities that his committee has established. Mr. Thomas stated that his committee determined that one way to revive the Delta Business District was to develop a subsystem for handling customer traffic; new sidewalk, curb and gutter and adequate parking. They suggest that the curb and gutter and sidewalks in the business area be done in one operation. The city is being asked to provide engineering and design. He then said that the Chamber of Commerce is willing to help look for funds which may be available whether, public or private. He admitted that taxation would probable have to be used in addition to other means of financing the project. The last item presented to the council was the unsightly aspects of the city. They would encourage the city to erradicate wherever possible, the visual nuisances.

Mr. Swalberg asked for direction as to what the City Council would like the Chamber to do, if anything, on trying to develop funding and methods to accomplish these priorities which his committee was presenting.

The following items were discussed:

1. The possibility of establishing an improvement district.
2. The possibility of using the Redevelopment District.
3. The need to canvass all property owners to determine if this project has the committees support.
4. Rising costs and growth call for beginning soon.
5. The need for off-street parking.

Mr. Thomas was invited to a Special Improvement District Meeting to be held February 23rd with City Engineer John Quick, Council Member Willis Morrison, City Administrator, Vance Bishop and City Attorney, Warren Peterson. It was thought that the meeting would be a good starting point for Mr. Thomas's committee.

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In connection with the Delta City Clean-up Campaign, Pat Davies asked the City to provide three (3) days of trash pick up during the campaign. Superintendent Forster agreed to contact State Highway Department of Transportation about the possible use of the street sweeper. In regard to junk cars and condemned buildings, Ms. Davies was referred to Police Chief, Roy Wood for direction.

#### REQUEST FOR A STREET LIGHT

Scott Corry submitted a request for a street light at 4th South and 2nd East. Max Bennett said it had been city policy to have a street light on each corner where there are homes. The procedure is to approve the light, request said light from the power and light company and they install it. Council Member Don Bird made a MOTION to approve a street light on the corner of 4th South and 2nd East. SECONDED by Council Member Ruth Hansen. There was discussion on the possibility of the need for more street lights soon. The Mayor asked if there was any more discussion. There being none a vote was taken and the motion carried. The Mayor directed the City Administrator to write a letter to the power company and the Public Works Superintendent to designate the location of the light.

#### FIRE DEPARTMENT ANNUAL REPORT

Fire Chief Bryce Ashby told the council that last year (1980) the fire department answered 43 fires with a total loss of \$38,710.00. In 1981 the department answered 56 fires with a total loss of \$353,975.00. There were three big fires in 1981 one in Abraham with a loss of \$105,000.00 and one at Lovell's Inc. with a \$106,000.00 loss. Of the total 56 fires, 45 were in the county, 11 in the city of Delta. The county loss was \$351,375.00 as compared to city loss of \$2,600.00. He mentioned that the fire department has always had more fire calls from outside the city than inside. Mr. Ashby stated that there were 25 volunteer Fire Department Members and a waiting list of volunteers. The Volunteers spent 1,896 man hours fighting fires in 1981 and traveled 4,677 unit miles. By request they performed 26 commercial inspections and 43 residential inspections, mostly to determine if wood burning stoves were installed properly.

Fire Chief Ashby reported a good year for the department. They have every man equipped with protective gear, hats and boots. They also acquired an air compressor to fill the breathing apparatuses which allow them to practice more with that equipment. But he mentioned, with the continued growth in the area a strong look needs to be taken at continuing to upgrade the fire department; third story capability, for instance, and more pumping equipment for possible multiple fires. Mr. Ashby mentioned the city ordinances against open burning and requested that the ordinance be published. He said if anyone needed to burn, they should get a permit from the Fire Chief.

Mr. Ashby addressed the problem of potential fires in R.V. parks because of the closeness of the trailers and campers and propane tanks.

Fire Chief Ashby was thanked by the Mayor for the well presented and complete report.

#### ANIMAL CONTROL CONTRACT - Dennis Westwood - City Attorney

Copies of an Animal Control Contract were passed to the city council members for

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their review. Attorney Peterson reviewed the high points with the council. The points covered were:

1. Delta City hires Dennis Westwood and he agrees to carry out the duties of the Poundmaster.
2. The contract is effective March 1, 1982 and runs through June 30, 1982. At that time the council would have to renew for another 12 months or it would expire. Then after the 12 months it would renew automatically month to month.
3. The Contractor would agree to follow the city ordinances and guidelines as established by the Mayor or the City Council.
4. The contractor acknowledges that this is going to be a part-time job, but he is obligated to provide reasonable service standards.
5. Compensation will be paid on a monthly basis and there will be reimbursement for certain expenses.
6. Termination clause.
7. The contractor agrees not to take any bribes or kickbacks. All remuneration will be from the city.
8. The contractor will maintain personal injury and property damage insurance of at least \$500,000.00.
9. The relationship is that of an independent contractor, he is not a city employee and he acts on behalf of the city only when he is the animal control officer.
10. Miscellaneous provisions including how complaints would be handled, disposal of animals, redemption of animals, the handling of monies and other common contract clauses.
11. Contract breach.
12. Amendments to the contract have to be in writing.
13. Notice provisions.

The fee schedule provides for \$300.00 per month salary and \$20.00 mileage per month.

A MOTION was made by Councilmember Ruth Hansen to appoint Dennis Westwood Animal Control Officer and approve the contract for 120 days to be reviewed in depth and a decision to be made at that time whether to continue with the contract. The motion was SECONDED by Council Member Willis Morrison. The Mayor asked if there was any further discussion, there being none a vote was taken and the motion carried.

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UTAH DEPARTMENT OF TRANSPORTATION

Public Works Superintendent, Neil Forster stated to the council that he had been approached by the local foreman of the Utah State Highway Department with their plans to build a new road shed in a different location. Delta City had once indicated an interest in buying the property from the UDOT. Mr. Forster told the council members that the city has outgrown the present facility and urged them to investigate the buying of the present State Highway Road Shed, if possible.

There was a discussion on the need for additional space for the city. It was decided that the issue should be studied in depth.

PENDRAY DEVELOPMENT - CONSIDERATION FOR FINAL APPROVAL OF PLAT G

Mr. Robert Pendray presented a \$250.00 check to the Delta Volunteer Fire Department in appreciation for their work in control of the fire at the Pendray Best Western Motel.

Mr. Pendray exhibited the Plat map for the consideration of the council members. After a lengthy discussion about a city owned road on 4th North, Mr. Pendray stated that he and Jim (Pendray) would meet with the city council and Robert Harris and get the problems resolved. There was further idscussion on the placement of a through road for access to the schools and other streets. Council Member Max Bennett MOVED to give final approval to Plat G of Pendray Estates. SECONDED by Council Member Don Dafoe. The motion carried unanimously with Council Member Willis Morrison and Don Bird abstaining.

Mr. Pendray presented an amended Plat D for the signature of the Mayor and the City Attorney. The Plat had been approved by City Council but there was a mistake made when the County recorded said Plat. Council Member Willis Morrison MOVED to have the Mayor and City Attorney do whatever needed to be done to clear up the matter. A SECOND came from Councilmember Don Bird. The motion carried.

EASEMENT AGREEMENT

City Attorney Warren Peterson presented for the Council's consideration the proposed Resolution #82-57, to establish an easement with the Union Pacific Railroad for a water line already in place which runs to the Meadow Park South Subdivision. Council Member Willis Morrison MOVED to adopt Resolution #82-57 entitled:

A RESOLUTION APPROVOING AN UNDERGROUND WATER PIPELINE CROSSING  
EASEMENT AGREEMENT BETWEEN THE CITY OF DELTA, UTAH, A MUNICIPAL  
CORPORATION OF THE STATE OF UTAH AND THE LOS ANGELES AND SALT LAKE  
RAILROAD COMPANY AND ITS LEASEE, UNION PACIFIC RAILROAD COMPANY,  
AND AUTHORISING EXECUTION OF THE EASEMENT AGREEMENT.

The motion was SECONDED by Councilmember Ruth Hansen. The Mayor asked if there was any more discussion, there being none he then called for a vote on the motion. The motion carried unanimously.

Following the voting, Mayor Nielson signed the Resolution #82-57 in open meeting, it was attested by the City Recorder, Dorothy Jeffery and accepted as

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part of the official records of the City of Delta. Copies of the resolution are on file in the city office for public review.

BUNKER HILL ANNEXATION PETITION

City Administrator Vance Bishop stated that the city needs to examine the proposal of an offer of some possible park lands connected with the Bunker Hill Annexation. He asked for review and comments from the city council, city attorney, engineer, public works superintendent and others who may be involved. He showed the annexation map and stated that the annexation public hearing was held by the city council. Roger Stowell spoke on park concepts and the need to determine a site for additional parks in the Delta area. He stated that IPA would not be purchasing more land, but would participate in developing parks and operation and maintenance costs. He said that IPA's plans must be finalized soon, and they need a decision as soon as possible. There followed a discussion of properties which might be available for park development and some of the problems involved.

Mr. Gayle Bunker stated that they would like some answers on annexation as soon as possible. The park property donation is conditional on annexation and they need to get moving on the development. The park donation would amount to about 20% of their total project instead of the required 7%. The petitioners will be required to rewrite the policy declaration. No action was taken by the Council.

WEST MILLARD HOSPITAL

Mr. Verdell Bishop reported that the Hospital Board has reached the conclusion that the hospital must be built on a larger piece of property. Three pieces of property have been considered by the board and a decision has been made. It will take until September before we can begin construction. We will need water and sewer so we will need to be annexed into the city by that date. The new property is south and east of the new Losee Lumber Yard. Mr. Bishop proposed that the present hospital could be converted to city offices. He said that they would proceed with an annexation application.

OTHER BUSINESS

Mr. Harvey Rowlette thanked the city for their cooperation on the problems the Postal Department had with access into mail boxes on the city streets.

There was discussion on the following items:

1. Parking variances on off-street parking which had been given to Jack Grayson for his property on main street.
2. Betah Rebecah weekly dances.
3. Zoning map revisions.
4. Airport lease agreement.
5. Mayor attendance of a Six County meeting in Richfield.

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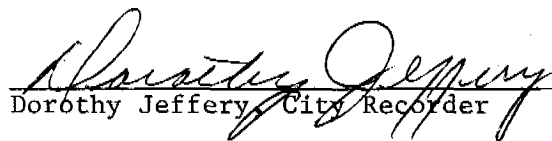
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6. Rae's Draperies will be given a refund for the application fee paid for a zone change request. Council Member Don Dafoe so MOVED, SECONDED by Council Member Don Bird. Motion carried.

Mayor Nielson asked if there were any other comments or discussion, there being none Councilmember Ruth Hansen MOVED the meeting be adjourned. The motion was SECONDED by Council Member Don Dafoes and the motion carried. The meeting adjourned at 11:45 p.m.



Grant S. Nielson, Delta City Mayor



Dorothy Jeffery, City Recorder

## MINUTES OF A REGULAR CITY COUNCIL MEETING HELD MARCH 1, 1982

## PRESENT:

Grant S. Nielson  
Vance Bishop  
Max Bennett  
Don Bird  
Ruth Hansen  
ABSENT:

Mayor and presiding  
City Administrator  
Council Member  
Council Member  
Council Member

Don Dafoe  
Willis Morrison

Council Member  
Council Member

## OTHERS PRESENT:

Warren Peterson  
Dorothy Jeffery  
Neil Forster  
Ray Valdez  
John Quick  
Patricia Davies

City Attorney  
City Recorder  
Public Works Superintendent  
City Building Inspector  
City Engineer  
City Clerk

Jack Fowles  
Kyle Ekins  
Duane H. Ekins  
Tom Downing  
Carl Sudbury  
Mervin Williams

Roger Johnson  
Russ Flwles  
Don Daly  
Raphael Mecham  
Jack Grayson

Mayor Grant Nielson, being present, called the meeting to order at 7:00 p.m. Dorothy Jeffery, being present, acted as secretary.

The Mayor stated the meeting was a regularly called meeting and that notice of